

### ***Remarks***

Reconsideration of this Application is respectfully requested. Claims 1-24 are pending in the application, with claims 1, 14 and 19 being the independent claims.

### ***Examiner Interview***

Applicants appreciate the courtesies extended by the Examiner during the personal interview conducted on July 21, 2004. During the interview the rejection of independent claim 1 was discussed with reference to U.S. Patent No. 4,699,392 ("the Ku patent") and U.S. Patent No. 6,540,579 to Gubitosi et al. ("the Gubitosi patent"). Applicants' representative discussed the distinctions between the cited references and independent claim 1. Applicants' representative agreed to amend claim 1 as indicated above. Applicants note that the amendment was made to change the claim language to a variation that was preferred by the Examiner, but that does not alter the structural or functional relationship between the seat and the base, and was not made for reasons related to patentability. The rejection of independent claim 14 was discussed with respect to U.S. Patent No. 2,282,086 to Peltier ("the Peltier patent"). The Examiner agreed that claim 1, and claim 14 as amended, appear to be patentable over the cited references. The Examiner indicated that further search may be required.

### ***Allowable Subject Matter***

Applicant appreciates the Examiner's indication of allowable subject matter in the application.

### ***Claim objection***

Claim 16 stands objected to because the Examiner states that the word “a” should be inserted in front of the word “sensible.” Applicants submit that the word “a” is not required and that the claim is proper as originally filed. Nevertheless, to advance prosecution of the application, Applicants have amended claim 16 as suggested by the Examiner.

***Rejections Under 35 U.S.C. 102***

Claims 1, 3, 6-7 and 9-11 stand rejected under 35 U.S.C. 102(b) as being anticipated by the Ku patent. Claims 1, 3, 6-7 and 9-11 stand rejected under 35 U.S.C. 102(e) as being anticipated by the Gubitosi patent. As discussed during the Examiner interview, independent claim 1 is allowable over the cited references. Based at least on their dependence upon independent claim 1, dependent claims 3, 6-7 and 9-11 are also allowable.

Claims 14-15 and 17-18 stand rejected under 35 U.S.C. 102(b) as being anticipated by the Peltier patent. As discussed during the Examiner interview, claim 14, as amended, is allowable over the cited reference. Based at least on their dependence upon independent claim 14, dependent claims 15 and 17-18 are also allowable.

***Claim Rejections Under 35 U.S.C. 103(a)***

Claims 2 and 4-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the Ku patent in view of U.S. Patent No. 4,171,847 to Tukai and U.S. Patent No. 4,225,146 to Takeuchi. Based at least on their dependence upon independent claim 1, which is allowable for the reasons discussed above, dependent claims 2 and 4-5 are also allowable.

Claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over the Peltier patent in view of the Ku patent. Based at least on its dependence upon independent claim 14, which is allowable for the reasons discussed above, dependent claim 16 is also allowable.

### *Conclusion*

All of the stated grounds of rejection have been properly traversed or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.


Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

COOLEY GODWARD LLP

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By:

  
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